THE HONOURABLE SRI JUSTICE V.ESWARAIAH

WRIT PETITION No :25953 of 2007

DATED:07-12-2007

BETWEEN:

Smt.V.Vinoda Kumari.

..... PETITIONER

AND

The Revenue Divisional Officer,
Palvoncha,
Khammam District & 2 others.

.....RESPONDENTS

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ORDER:

Heard learned counsel appearing for the petitioner as well as the learned Government Pleader for Revenue appearing for the respondents.

2. Petitioner seeks a writ of mandamus declaring the action of the respondents in seeking to dispossess the petitioner from the lands in Sy.No.512/1 to an extent of Ac.3.00 cents of Toggudem village, Pinapaka mandal, Khammam District, as illegal, and arbitrary.

3. It is the case of the petitioner that she is in occupation and possession of an extent of Ac.3.00 in Sy.No.512/1 of Toggudem village, Pinapaka mandal, Khammam District over a period of thirty years and she has been in continuous possession and enjoyment of the same.

4. Learned Government pleader submits that the said land belongs to the Government and the petitioner is only an encroacher. If the petitioner is in possession and even if she has encroached the land without following due process of law under the provisions of the Land Encroachment Act, petitioner cannot be dispossessed.

5. Accordingly, Writ Petition is disposed of directing the respondents 2 and 3 not to dispossess the petitioner without

following due process of law. No order as to costs.

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V.ESWARAIAH,J

07th December, 2007.
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